



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

**Via Electronic Mail To:** daryl@1-800-optisource.com

**Docket No.** F-02-2020-5066

Daryl Squicciarini  
Optisource International  
40 Sawgrass Drive  
Bellport, NY 11713

**Re: NOTICE OF REFUSAL OF ADMISSION**

Import of Deyo Disinfecting Wet Wipes, Entry No. 879-40151977

Dear Ms. Kaur:

In connection with the enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA" or "the Act"), as amended, 7 U.S.C. § 136, et seq., the United States Environmental Protection Agency – Region 2 ("EPA" or the "Region") has examined samples or other evidence with respect to the following shipment:

**Product Name:** Deyo Disinfecting Wet Wipes  
**Importer:** Optisource International Inc.  
**Manufacturer:** Henan Yeesain Health Technology Co.  
**Bill Number:** ONEYSZ8HL2361600  
**Entry Number:** 879-40151977  
**Entry Date:** 07/25/20  
**Entry File Date:** 07/23/20  
**Port of Entry:** 4601 – New York/Newark  
**Amount:** 32,256 40-wipe packs

Your company was previously notified via a Notice of Detention and Hearing ("NOD"), dated July 28, 2020, that the above-referenced products appear to be out of compliance with the Act and therefore subject to refusal of admission. Specifically, your company was told that these disinfecting wipes are pesticides because the labeling claims they effectively kill germs on surfaces and are a "smart way to clean electronic devices", and are not registered under FIFRA § 3(a), 7 U.S.C. § 136a(a). The labeling also claims these wipes "effectively kill COVID-19"; this is a false claim and therefore the product is misbranded, as that term is defined by FIFRA § 2(q), 7 U.S.C. § 136(q). Unregistered and misbranded pesticides are prohibited from sale and distribution in the U.S.; therefore, the products are in violation of FIFRA § 12(a)(1)(A) and (1)(E), 7 U.S.C. § 136j(a)(1)(A) and (1)(E). Additionally, a Notice of Arrival ("NOA") of Pesticides was not filed for the shipment as required by FIFRA § 12(a)(2)(N), 7 U.S.C. § 136j(a)(2)(N), and 19 C.F.R. § 12.112.

The NOD further afforded you an opportunity to explain why the shipment should not be destroyed or refused entry. No material demonstrating that the product is in compliance with the Act and eligible for entry has been submitted to EPA. Instead, on August 17, 2020, you emailed EPA and stated your company could find no evidence that the product complied with FIFRA, and that your company was prepared to destroy the entire shipment.

EPA therefore hereby notifies you that your merchandise has been refused admission. You must export this merchandise, under supervision of the U.S. Customs and Border Protection (CBP) and within ninety (90) calendar days from the date of this Notice or within such additional time as EPA or the District Director of CBP specifies or dispose of the products. Failure to do so may result in either the destruction of the merchandise as authorized by the Act, or, if the shipment has been released to you under bond, in any action necessary to enforce the terms of said bond.

EPA acknowledges that the COVID-19 pandemic may be impacting your business. If that is the case, we will consider your specific circumstances in determining an appropriate timeline for complying with this notice, while still ensuring that the Agency receives the information it needs to timely confirm your company's compliance with FIFRA; such consideration does not extend to allowing the shipment and distribution of misbranded products into the United States.

If you have any questions, please contact Michael Brannick at 732-321-4349 or [brannick.michael@epa.gov](mailto:brannick.michael@epa.gov).

Sincerely,

*for* Dore LaPosta, Director  
Enforcement & Compliance Assurance Division

cc: Jamie Franklin, Sobel Network Shipping ([jamief@sobelnet.com](mailto:jamief@sobelnet.com))  
Terrance Brennan, U.S. Customs and Border Protection ([terrance.m.brennan@cbp.dhs.gov](mailto:terrance.m.brennan@cbp.dhs.gov))